

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following remarks, is respectfully requested.

Claims 1-14 are currently pending. No claims are amended, canceled, or newly added. Thus, no new matter is added.

The outstanding Official Action rejected Claims 1-3 and 5-14 under 35 U.S.C. § 103(a) as unpatentable over Irwin, et al. (U.S. Patent No. 7,389,273 B2, herein “Irwin”) and Stefik (U.S. Patent No. 5,715,403); and rejected Claim 4 under 35 U.S.C. § 103(a) as unpatentable over Irwin, Stefik, and Lin, et al. (U.S. Patent No. 6,275,693 B1, herein “Lin”).

Applicant respectfully traverses the rejection of the claims under 35 U.S.C. § 103(a).

Claim 1 is directed to a content data reproduction apparatus for reproducing content data. The content data reproduction apparatus includes, *inter alia*, reproduction means for, when said authentication result information indicates that said content data reproduction apparatus or said user thereof has not been registered, checking said attribute information of said one of said plurality of content data items and reproducing said one of said plurality of content data items when said attribute information of said one of said plurality of content data items indicates that external storage of said one of said plurality of content data items is allowed.

Now turning to the applied references, Irwin describes a client device (140) including a render application (144) that relies upon a DRM controller (146) to verify if a user’s content rights are sufficient for rendering content, by comparing a local registry of license documents (148) with a unique identifier of the content.<sup>1</sup> Further, Irwin describes that a user may be

---

<sup>1</sup> Irwin at column 10, lines 35-68, and at Figures 1 and 3.

authenticated to the client device (140) and that a new content license may be obtained, at step (340), based on acquired user credentials.<sup>2</sup>

The outstanding Official Action, in the Response to Arguments, asserts that Figure 3 of item 168 of Irwin discloses that “when said authentication result information indicates that said content data reproduction apparatus or said user thereof has not been registered, checking said attribute information of said one of said plurality of content data items and reproducing said one of said plurality of content data items when said attribute information of said one of said plurality of content data items indicates that external storage ... is allowed.”<sup>3</sup>

Applicant respectfully traverses this assertion.

Applicant submits that the specification of Irwin is devoid of any description of the identity repository 168. That is, while the identity repository 168 is illustrated in Figure 3 of Irwin, there is no corresponding written description for the identity repository 168. As such, there is no disclosure or suggestion in Irwin that the identity repository 168 transmits a document to a client terminal when the terminal is unauthenticated.

In contrast, Irwin merely describes setting content rights upon authenticating the client:

Before the DRM controller (146) contacts the license server (160), it must acquire the credentials of the user at some point. This information is passed to the license server (160) to authenticate the remote client (140) to the license server (160). *Once authenticated based on the passed credentials, the license server (160) is ready to process the client request.* Based on the requested rights being purchased, the license server (160) creates or selects the corresponding rights document from a Repository of Rights (380).<sup>4</sup> (Emphasis added).

Thus, as described in Irwin, only when the remote client is authenticated, a license server 160 sets the rights to a license document that can be securely transmitted down to the

---

<sup>2</sup> Irwin at column 10, lines 35-40 and lines 59-67.

<sup>3</sup> See Official Action of April 15, 2011 at page 3.

<sup>4</sup> Irwin at column 10, line 61 - column 11, line 3.

client device. There is no disclosure or suggestion in Irwin of transmitting the document to the client device when the client device is unauthenticated.

Thus, Applicant submits that Irwin fails to disclose or suggest all the features of

Claim 1.

Stefik describes a system for controlling the distribution and use of digital works rendered by a rendering repository (203).<sup>5</sup> According to Stefik, a song may be copied without a fee and playback (i.e., reproduction) of the song may be conditioned upon the purchase of a “play right” for the song.<sup>6</sup> To purchase the “play right,” Stefik describes a login transaction with a credit server to check the authenticity of a user requesting a transaction.<sup>7</sup> As part of the login transaction, Stefik describes and illustrates that repositories communicate to determine if the repositories will exchange session keys to be used during transaction period communications.<sup>8</sup>

Claim 1 is distinguishable over Stefik as the applied reference fails to disclose or suggest:

when said authentication result information indicates that said content data reproduction apparatus or said user thereof has not been registered, checking said attribute information of said one of said plurality of content data items and reproducing said one of said plurality of content data items when said attribute information of said one of said plurality of content data items indicates that external storage of said one of said plurality of content data items is allowed.

As discussed above, Stefik merely describes setting content rights for a document. However, Stefik does not describe that the rendering repository (203) checks whether it (or its user) has been registered in response to a reproduction command for playback of a song. Further, there is no disclosure or suggestion in Stefik that when a user or client device is not registered, the

---

<sup>5</sup> Stefik at Abstract, at column 8, lines 10-15, and at Figure 2.

<sup>6</sup> Stefik at column 48, lines 40-55.

<sup>7</sup> Stefik at column 27, lines 30-45.

<sup>8</sup> Stefik at columns 27 and 28 and at Figures 17 and 18.

rendering repository (203) checks attribute information of the song and plays the song when attribute information indicates that external storage of the song is allowed.

In contrast, Stefik describes checking the authenticity of a user when the user requests a transaction with the credit server:

A usage transaction is carried out in a session between repositories. *For usage transactions involving more than one repository, or for financial transactions between a repository and a credit server, a registration transaction is performed.* A second transaction termed a login transaction, may also be needed to initiate the session. The goal of the registration transaction is to establish a secure channel between two repositories who know each other's identities.<sup>9</sup> (Emphasis added).

Thus, prior to a usage transaction, Stefik describes performing a registration transaction. As such, there is no disclosure or suggestion in Stefik of reproducing content for an unregistered user.

Thus, Applicant submits that the combination Stefik fails to cure the deficiencies of Irwin. Therefore, Applicant submits that the combination of Irwin and Stefik fails to disclosure or suggest all the features of Claim 1. Applicant respectfully requests that the rejection of Claim 1, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

As Claims 11 and 13 recite features analogous features to those recited for Claim 1, Applicant submits that the combination of Irwin and Stefik fails to disclose or suggest all the features of Claim 1. Thus, Applicant respectfully requests that the rejection of Claims 11 and 13, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 8 is directed to a registration confirmation apparatus. Claim 8 recites, *inter alia*:

transmission means for transmitting authentication result information to said content data reproduction apparatus indicating that said content data reproduction apparatus or said user thereof has been registered and that said plurality of content data items stored in said content data reproduction

---

<sup>9</sup> Stefik at column 27, lines 30-45.

apparatus are reproducible, or that said content data reproduction apparatus or said user thereof has not been registered and that said plurality of content data items stored in said content data reproduction apparatus are not reproducible, based on the determination result.

The outstanding Official Action, in the Response to Arguments, asserts that “Irwin does disclose a transmission means as shown elsewhere in the office action, for instance in claim 1, Irwin, figure 3, items 168, teaches a identity repository which checks for authentication i.e. if user was previously registered.”<sup>10</sup>

Applicant respectfully traverses this assertion. As discussed above, there is no corresponding written description for identity repository (168) in Figure 3 of Irwin. Irwin merely describes that when the client device (140) is authenticated, then rights to documents are set. However, there is no disclosure or suggestion in Irwin that when the client device (140) is authenticated, the license server (160) transmits authentication information “indicating that said content data reproduction apparatus or said user thereof has been registered and that said plurality of content data items stored in said content data reproduction apparatus are reproducible,” as recited in Claim 1.

Further, Irwin is merely silent regarding the access of documents when the client device (140) is unauthenticated. As such, there is no disclosure or suggestion in Irwin of an identity repository (168) that transmits authentication result information that a user “has not been registered and that said plurality of content data items stored in said content data reproduction apparatus are not reproducible, based on the determination result.”

Regarding Stefik, the applied reference merely describes registering a user for a transaction. Further Stefik describes setting distribution rights for a document. However, there is no disclosure or suggestion in Stefik that when a user is registered, any of the repositories of Stefik transmit authentication information indicating that a user is registered and that content data is reproducible. Thus, Stefik fails to disclose or suggest “transmitting

---

<sup>10</sup> See Official Action of April 15, 2011 at page 3.

authentication result information to said content data reproduction apparatus indicating that said content data reproduction apparatus or said user thereof has been registered and that said plurality of content data items stored in said content data reproduction apparatus are reproducible,” as recited in Claim 8. Further, when the user is not registered, Stefik fails to disclose or suggest transmitting information indicating that content is not reproducible. Therefore, there is no disclosure or suggestion in Stefik of transmitting authentication result information indicating that a user “has not been registered and that said plurality of content data items stored in said content data reproduction apparatus are not reproducible, based on the determination result,” as recited in Claim 8.

Thus, Applicant submits that the combination of Irwin and Stefik fails to disclose or suggest all the features of Claim 8. Applicant respectfully requests that the rejection of Claim 8, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

As Claims 12 and 14, recite features analogous to those recited for Claim 8, Applicant submits that the combination of Irwin and Stefik fails to disclose or suggest all the features of Claims 12 and 14. Applicant respectfully requests that the rejection of Claims 12 and 14, and claims depending therefrom, under 35 U.S.C. § 103(a) be withdrawn.

The outstanding Official Action rejected Claim 4 under 35 U.S.C. § 103(a) as unpatentable over Irwin, Stefik, and Lin.

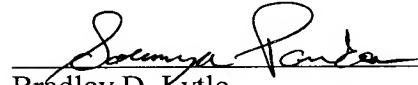
As discussed above, the combination of Irwin and Stefik fails to disclose or suggest all the features of Claim 1, from which Claim 4 depends. Applicant has considered Lin and submits that the applied reference fails to cure the deficiencies of the combination of Irwin and Stefik. Thus, Applicant submits that no *prima facie* case of obviousness is set forth for Claim 4.

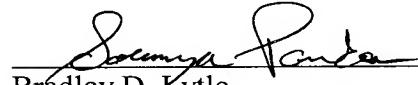
Therefore, Applicant respectfully requests the rejection of Claim 4 under 35 U.S.C. § 103(a) be withdrawn.

Consequently, in view of the above remarks, no further issues are believed to be outstanding. The present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

  
\_\_\_\_\_  
Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

  
\_\_\_\_\_  
Soumya Panda  
Registration No. 60,447

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/09)